



CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:
Date: April 17, 2007 Name: Joseph F. Hetz, Reg. No. 41,070 Signature:

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Schumacher et al.

Appln. No.: 10/773,370

Examiner: W. Bashore

Filed: February 6, 2004

Art Unit: 2176

For: Structured Document Browser

Attorney Docket No: 8285-670

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

Response to Notice of Non-Compliant Amendment and Record of Interview (3 pages); and
 Return Receipt Postcard.

Fee calculation:

No additional fee is required.
 Small Entity.
 An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
 A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(____).
 An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity		
					Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$	Total	\$	

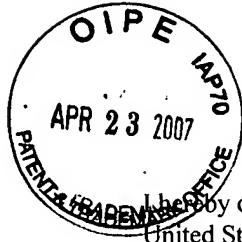
Fee payment:

A check in the amount of \$_____ is enclosed.
 Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
 Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Joseph F. Hetz (Reg. No. 41,070)

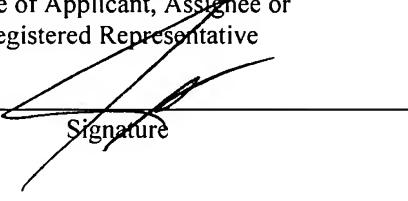
April 17, 2007
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Joseph F. Hetz - Reg. No. 41,070

Name of Applicant, Assignee or
Registered Representative


Signature

Our Case No. 8285-670

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)		
Schumacher et al.)		
Serial No.:)	Examiner:	W. Bashore
10/773,370)		
Filed:)	Group Art Unit:	2176
February 6, 2004)		
For:)		
Structured Document Browser)		

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT
AND
RECORD OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In the Notice of Non-Compliant Amendment mailed March 21, 2007, the Examiner stated that confusion exists in the Official Record because the Image File Wrapper (IFW) shows two seemingly conflicting sets of claims: one claim set dated January 5, 2007¹ and another claim set dated December 20, 2006.

¹ The Notice of Non-Compliant Amendment indicates that this claim set was filed on January 15, 2007. However, the IFW makes clear that this claim set was actually filed on January 5, 2007 — not January 15, 2007.

In a telephone interview on March 28, 2007, Applicants' attorneys Joseph Hetz and Arnold Turk explained that the January 5th claim set was part of a request for republication of the application and not part of a conflicting, subsequent amendment to the December 20th amendment. Indeed, Applicants filed the request for republication so that the application would be republished with the December 20th claim set. Accordingly, the January 5th claim set is actually identical to the December 20th claim set, save for the claim numbering and lack of status indicia, per the format requirements of a request for republication.

During the telephone interview, Applicants also noted that the IFW contains several other entries that show that the January 5th claim set was part of a request for republication and not a conflicting, subsequent amendment — (1) a specification, abstract, and drawings to be republished, (2) an Application Data Sheet, and (3) a fee transmittal for the republication request. The IFW also shows that, on January 5th, the U.S.P.T.O. mailed a status letter to Applicants acknowledging receipt of the republication request and that, on January 10th, the U.S.P.T.O. mailed a Notice of Acceptance of Publication Request to Applicants. Accordingly, the U.S.P.T.O. recognized the January 5th claim set as being part of a request for republication and not as a conflicting, subsequent amendment to the December 20th amendment.

At the conclusion of the March 28th telephone interview, the Examiner requested that Applicants file this Response to clarify the record to indicate that the claims as presented in the December 20th claim set are the claims under examination. The Examiner also stated that this Response would be accepted as fully responsive to the Notice of Non-Compliant Amendment.

If the Examiner has any questions, he is invited to contact the undersigned attorney at (312) 321-4719.

The Director is hereby authorized to charge payment of any additional fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Dated: April 17, 2007

Respectfully submitted,



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